

# ELLIS LAWHORNE

John J. Pringle, Jr.  
Direct dial: 803/343-1270  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)

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**VIA ELECTRONIC MAIL SERVICE AND 1<sup>ST</sup> CLASS MAIL SERVICE**

**Public Service Commission of South Carolina**

**ATTN: Docketing Department**

**PO Drawer 11649**

**Columbia SC 29211**

RE: Application of Utilities USA, Inc. for a Certificate of Public Convenience  
and Necessity to Provide Prepaid Local Exchange Services Within the  
State of South Carolina  
**Docket No. 2004-234-C, Our File No. 927-10265**

To Whom It May Concern:

Enclosed is the original and twenty-five (25) copies of the **Testimony of Oscar Nodarse** filed on behalf of Utilities USA, Inc. in the above-referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,



John J. Pringle, Jr.

JJP/cr

cc: Mr. Oscar Nodarse

Enclosures

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**DOCKET NO. 2004-234-C**

APPLICATION OF )  
UTILITY USA, INC. )  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO PROVIDE LOCAL EXCHANGE )  
TELECOMMUNICATIONS SERVICES IN )  
SOUTH CAROLINA )

**TESTIMONY OF OSCAR NODARSE**

1   **Q.     WILL YOU PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2   A.     My name is Oscar Nodarse. My business address is 3814 Woods Walk Blvd., Lake Worth  
3           FL 33467.

5   **Q.     BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

6   A.     In my current capacity, I am the President and Marketing Director of Utility USA, Inc.  
7           ("Utility USA").

9   **Q.     PLEASE GIVE A BRIEF DESCRIPTION OF YOUR BACKGROUND AND**  
10          **EXPERIENCE.**

11   A.     I am the founder of Utility USA. I am also the founder and CEO of Universal Telephone  
12           Company. I have successfully managed my company, making it very profitable, serving  
13           over 10,000 customers in South Florida alone. In the past, I was the President, Vice-  
14           President, Marketing Director, and Account Executive for different corporations in

1 domestic, as well as foreign corporations, extending my knowledge to the international  
2 market. Previously, I have held the offices of President, Vice-President, Director of  
3 Sales, and Account Executive for various corporations in the states of New York, Florida,  
4 and also Puerto Rico, extending my knowledge to the international markets of Central  
5 and South America, as well as Spain and Portugal.

6  
7 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

8 A. The purpose of my testimony is to present evidence describing the technical, managerial  
9 and financial fitness of Utility USA to provide resold local exchange telecommunications  
10 services in South Carolina. This testimony will also describe the services proposed by  
11 Utility USA and the proposed tariff structure. Finally, the purpose of my testimony is to  
12 show that the public interest will be served by approval of the application of Utility USA  
13 for a certificate of public convenience and necessity.

14  
15 **Q. HAS UTILITY USA REGISTERED TO DO BUSINESS IN SOUTH CAROLINA?**

16 A. Yes. Utility USA is a Florida corporation incorporated on March 7, 2000, and has continued  
17 since that date in good standing. Copies of Utility USA's certificate of incorporation and  
18 articles of incorporation are attached to Utility USA's Application at Exhibit "A." Utility  
19 USA received foreign corporation authority to conduct business in South Carolina on June  
20 14, 2004. A copy of Utility USA's Certificate of Authorization was attached to the  
21 Application as Exhibit "B".

1   **Q.     PLEASE DESCRIBE THE SERVICES UTILITY USA PROPOSES TO OFFER.**

2   A.     The company intends to offer local services, including local usage, Lifeline Services,  
3         Inside Wire Arrangements, Wire Maintenance Plans, 911/E911, 411/Directory  
4         Assistance, Relay Service, Operator Services, CLASS Services and Features, white and  
5         yellow pages directory listings, and repair and maintenance, on a resold -basis. Service is  
6         provided twenty-four (24) hours per day, seven (7) days a week.

7  
8   **Q:     WHERE DOES UTILITY USA INTEND TO PROVIDE SERVICE INITIALLY?**

9   A:     The company requests authority to resell and provide local exchange telecommunications  
10         services to both business and residential customers throughout the state.

11  
12   **Q:     DOES UTILITY USA PLAN TO OFFER LOCAL EXCHANGE**  
13         **TELECOMMUNICATIONS SERVICES IN AREAS SERVED BY RURAL**  
14         **TELECOMMUNICATION CARRIERS?**

15   A:     Utility USA seeks statewide authority to the extent permitted by law. Unless otherwise  
16         permitted by federal or state law, Utility USA does not plan to offer local exchange  
17         telecommunications services in areas served by any “rural” ILEC, except for those that  
18         have voluntarily entered into an agreement with a competing telecommunications service  
19         provider. Utility USA has executed a Stipulation with the South Carolina Telephone  
20         Coalition (“SCTC”), and will abide by that Stipulation’s provisions with respect to  
21         providing services in the participating companies’ exchange areas. Utility USA reserves  
22         the right to expand its services into these areas should any rulings of the Commission or

1 any court or administrative agency allow the provision of service in such areas.

2  
3 **Q. DOES UTILITY USA OWN ANY NETWORK SWITCHES OR TRANSMISSION**  
4 **FACILITIES USED IN ROUTING CALLS?**

5 A. Not at the current time.

6  
7 **Q. HOW WILL UTILITY USA BILL FOR ITS SERVICES?**

8 A. Calls are billed directly by the Company.

9  
10 **Q. HOW ARE TROUBLE REPORTS HANDLED?**

11 A. Utility USA will utilize a number of (561) 856-0297 for customer service.

12  
13 **Q. HOW ARE BILLING ERRORS AND COMPLAINTS HANDLED?**

14 A. Utility USA utilizes the number above for customer service.

15  
16 **Q. ARE YOU FAMILIAR WITH THE TARIFF SUBMITTED AS AN EXHIBIT TO**  
17 **THIS APPLICATION?**

18 A. Yes.

19  
20 **Q. WAS THE TARIFF PREPARED FOR YOU OR UNDER YOUR SUPERVISION?**

21 A. Yes. It was prepared under my supervision.

1   **Q.    IN YOUR OPINION, ARE YOUR PROPOSED RATES CONTAINED IN THE**  
2       **TARIFF JUST AND REASONABLE?**

3    A.    Yes.

4  
5   **Q.    WILL THE COMPANY PROVIDE ANY EQUIPMENT OR FACILITIES IN**  
6       **CONNECTION WITH ITS SERVICES?**

7    A.    No, the Company does not intend to own, operate, control or manage any  
8       telecommunications transmission facilities within in the State of South Carolina, and does  
9       not intend to obtain any such facilities or equipment at this time. However, the Company  
10      reserves the right to install its own facilities if and when business conditions warrant, and  
11      upon approval of the Commission.

12  
13   **Q.    DESCRIBE THE PROPOSED UTILITY USA SOUTH CAROLINA TARIFF.**

14   A.    Utility USA has filed a proposed local exchange tariff, which contains the rules, regulations  
15      and rates for Utility USA's services. I believe that Utility USA's tariff will comport with all  
16      Orders, Rules and Regulations of the Commission necessary to comply with all such  
17      applicable authority.

18  
19   **Q.    DESCRIBE UTILITY USA'S FINANCIAL ABILITY TO OPERATE AS A**  
20       **LOCAL EXCHANGE TELECOMMUNICATIONS PROVIDER.**

21   A.    Utility USA has sufficient financial resources to provide the requested telecommunication  
22      services in South Carolina, the financial capability to maintain these services, and the

1 financial capability to meet its lease and ownership obligations. The Company's  
2 Financial Statements were provided as Attachment C to the Company's application.  
3

4 **Q. DO YOU BELIEVE UTILITY USA IS CAPABLE OF DELIVERING ITS**  
5 **PROPOSED SERVICES IN SOUTH CAROLINA?**

6 A. Yes, in addition to having sufficient financial resources, the senior management team of  
7 Utility USA has a varied and detailed background in telecommunications. A summary of  
8 Utility USA's Management Team was attached to the Application as Exhibits D and E.  
9

10 **Q: IS THE COMPANY WILLING AND ABLE TO CONFORM TO THE LAWS OF**  
11 **THE STATE OF SOUTH CAROLINA AND TO THE RULES AND ORDERS OF**  
12 **THE COMMISSION, UNLESS APPLICATION OF SUCH RULES OR ORDERS**  
13 **IS SPECIFICALLY WAIVED BY THE COMMISSION?**

14 A: Yes.  
15

16 **Q: WILL THE COMPANY FILE ALL APPLICABLE REPORTS AS REQUIRED BY**  
17 **THE COMMISSION?**

18 A: Yes. The Company is aware of the Commission's requirements that all  
19 telecommunications carriers file a report on South Carolina operations, a gross receipts  
20 report, and a universal service contribution report on an annual basis.  
21

1 **Q. HOW WILL SOUTH CAROLINA CONSUMERS BENEFIT FROM UTILITY**  
2 **USA'S SERVICES?**

3 A. Granting Utility USA's application will introduce a telecommunications service provider  
4 committed to providing high quality services that will further increase  
5 telecommunications competition within the State of South Carolina. Utility USA 's  
6 service offerings will increase consumer choice, improve the quality and efficiency in  
7 telecommunications services and will likely lead to the reduction of consumer costs, as  
8 well as stimulate development of additional services by providing competitive incentives  
9 to other providers. Thus, granting Utility USA 's application is in the public interest.

10  
11 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

12 A. Yes.